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10 Attorneys for Plaintiff
UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION

14 UNITED STATES OF AMERICA,

No. CV 08-07438-TJH (MANx)

15 Plaintiff[s],

CONSENT JUDGMENT
OF FORFEITURE
[JS-6]

16 v.

17 \$208,690.94 IN BANK ACCOUNT
18 FUNDS, \$19,167.65 SEIZED FROM TD
19 AMERITRADE, \$177,500.00 IN U.S.
CURRENCY, FOREIGN CURRENCY
VAULED AT \$3,790.15, AND ONE
20 2004 FORD F-150,

21 Defendants.

22 MARIA GABRIELA KALLAS AND
CONSTANTINE PETER KALLAS,

23 Claimants.

24
25 This action was filed on November 10, 2008. Notice was given and published in
26 accordance with law. Claimants Maria Gabriela Kallas and Constantine Peter Kallas
27 ("Claimants") filed the only claims to the defendants \$208,690.94 in Bank Account
28

1 Funds, \$19,167.65 Seized From TD Ameritrade, \$177,500.00 in U.S. Currency, Foreign
2 Currency Valued at \$3,790.15, and One 2004 Ford F-150:

- 3 a. The defendant \$208,690.94 in Bank Account Funds was seized on
4 June 26, 2008 from the following accounts at Washington Mutual
5 Bank (now JP Morgan Chase Bank):
 - 6 i) \$158,257.94 from account number ending with '7486 in the
7 name of Lucia Anolis;
 - 8 ii) \$5,982.000 from account number ending with '4610 in the
9 names of Constantine and Maria Kallas;
 - 10 iii) \$44,451.00 from account number ending with '3383 in the
11 names of Constantine and Maria Kallas;
- 12 b. The defendant \$19,167.65 Seized from TD Ameritrade was seized on
13 June 26, 2008 from an account at TD Ameritrade in the name of
14 Constantine Kallas;
- 15 c. The defendant \$177,500.00 in U.S. Currency was seized by agents of
16 the Department of Homeland Security, Bureau of Immigration and
17 Customs Enforcement, on June 26, 2008 during the execution of a
18 federal search warrant at the residence of Constantine and Maria
19 Kallas in Rancho Cucamonga (the "Kallas residence");
- 20 d. The defendant Foreign Currency Valued at \$3,790.15 ("defendant
21 Foreign Currency") was also seized from the Kallas residence during
22 the execution of the federal search warrant referenced in the
23 preceding subparagraph. At the time of seizure, this defendant
24 consisted of currency from several foreign countries. Subsequent to
25 seizure, the currency was converted by a financial institution into
26 United States funds totaling \$3,790.15; and
- 27 e. The defendant One 2004 Ford F-150 ("defendant vehicle") was
28 seized on June 26, 2008, pursuant to a federal seizure warrant, and

1 bears VIN 1FTNW21S74EC55057. The defendant vehicle is
2 registered to Maria Kallas (collectively, the “defendant assets”). (See
3 Dkt. No. 8, 10.)

4 No other statements of interest or answers have been filed, and the time for filing
5 such statements of interest and answers has expired.

6 On June 1, 2010, Claimant Maria Kallas agreed to the forfeiture of her interest in
7 the defendant assets and is no longer a party of interest in this case. (See Dkt. No. 26.)

8 Plaintiff United States of America and Claimant Constantine Peter Kallas
9 (“Kallas”) have reached an agreement that is dispositive of the action. The parties
10 hereby request that the Court enter this Consent Judgment of Forfeiture.

11 **WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:**

12 1. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1345
13 and 1355 and over the parties hereto.

14 2. The Complaint for Forfeiture in Rem states a claim for relief pursuant to 18
15 U.S.C. §§ 981(a)(1)(A), 981(a)(1)(C), and 984.

16 3. Notice of this action has been given in accordance with law. All potential
17 claimants to the defendant assets other than Kallas are deemed to have admitted the
18 allegations of the Complaint. The allegations set out in the Complaint are sufficient to
19 establish a basis for forfeiture.

20 4. \$10,000.00 of the defendant assets, without interest, shall be returned to
21 Kallas by either check or wire transfer. If the United States elects to make the payment
22 by check, the check will be payable to “Constantine Peter Kallas,” and mailed to
23 attorney, Shawn R. Perez, Esq. If the United States elects to make the payment by wire
24 transfer, the funds will be wire transferred to the bank account that Kallas and his
25 attorney specify. Kallas and his attorney shall provide any and all information needed to
26 process the return of these funds according to federal law. Said payment shall be subject
27 to applicable federal law.

28 5. The United States of America shall have judgment as to the remaining

1 \$198,690.94 of the defendant bank account funds, \$19,167.65 seized from TD
2 Ameritrade, \$177,500.00 in U.S. currency, Foreign Currency valued at \$3,790.15,
3 together with all interest earned by the government on those amounts of the defendant
4 bank account funds and currency since seizure, and One 2004 Ford F-150, and no other
5 person or entity shall have any right, title or interest therein.

6 6. Kallas has agreed to release the United States of America, its agencies,
7 agents, and officers, including employees and agents of the Department of Homeland
8 Security, Bureau of Immigration and Customs Enforcement, from any and all claims,
9 actions or liabilities arising out of or related to this action, including, without limitation,
10 any claim for attorney's fees, costs or interest which may be asserted on behalf of Kallas,
11 whether pursuant to 28 U.S.C. § 2465 or otherwise. Nothing in this proposed consent
12 judgment is intended as, nor should anything in this proposed consent judgment be
13 interpreted as an admission by claimants of any liability or wrongdoing.

14 7. Each of the signatories to this Consent Judgment represents that he or she
15 has the full power and authority (without further approvals or consents) to enter into this
16 Consent Judgment and perform the obligations set forth herein.

17 8. This Consent Judgment may be signed in counterparts and shall be deemed
18 to have been equally drafted by the parties hereto.

19 9. The Court finds that there was reasonable cause for the seizure of the
20 defendant assets and institution of the proceedings. This judgment shall be construed as
21 a certificate of reasonable cause pursuant to 28 U.S.C. § 2465.



22 Dated: June 25, 2015

23 THE HONORABLE TERRY J. HATTER, JR.
24 UNITED STATES DISTRICT JUDGE

25
26 [Signatures of counsel appear on the next page.]
27
28

1 **Approved as to form and content:**

2
3 DATED: June 12, 2015

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4 Acting United States Attorney
5 ROBERT E. DUGDALE
6 Assistant United States Attorney
7 Chief, Criminal Division
8 STEVEN R. WELK
9 Assistant United States Attorney
10 Chief, Asset Forfeiture Section

11 */s/ Christen A. Sproule*
12 CHRISTEN A. SPROULE
13 Assistant United States Attorney
14 Asset Forfeiture Section

15 Attorneys for Plaintiff
16 DATED: June 22, 2015
17 LAW OFFICES OF SHAWN R. PEREZ

18 */s/ Shawn R. Perez*
19 SHAWN R. PEREZ

20 Attorney for Claimant
21 DATED: June 17, 2015
22 CONSTANTINE KALLAS

23 */s/ Constantine Kallas*
24 CONSTANTINE KALLAS
25 Claimant